



City of Carmel

CARMEL PLAN COMMISSION

October 17, 2006

Minutes

The regularly scheduled meeting of the Carmel Plan Commission met at 6:00 PM October 17, 2006 in the Council Chambers, City Hall, Carmel, Indiana. The meeting opened with the Pledge of Allegiance.

Members present: Leo Dierckman, Jay Dorman, Dan Dutcher, Wayne Haney, Kevin Heber, Rick Ripma, Carol Schleif, Steve Stromquist, Madeleine Torres, Susan Westermeier, thereby constituting a quorum.

The Minutes of the September 19, 2006 meeting were approved as submitted.

Susan Westermeier nominated Leo Dierckman to serve as President for the balance of the year, seconded by Carol Schleif, unanimously approved.

John Molitor, Legal Counsel, administered the Oath of Office to Jay Dorman who replaces Jerry Chomanczuk as Commission member.

Department Report, Matt Griffin: The following items are tabled until November 21, 2006, 1H, Guerrero Property; 2H, 10403 Pennsylvania Street Rezone; 3H, Old Meridian Place, Tabled to a date uncertain; 1I, Midtown Village PUD, tabled to November 21, 2006.

H. Public Hearings:

1H. Docket No. 06010003 Z: Guerrero Property – CONT. to NOV. 21

The applicant seeks to rezone 38.8 acres from S1/Residential to PUD/Planned Unit Development for the purpose of developing attached single-family residences and townhomes.

The site is located at the northwest corner of Towne Road and 131st Street.

Filed by Charles Frankenberger of Nelson and Frankenberger for Indiana Land Development Co.

2H. Docket No. 06050004 Z: 10403 Pennsylvania Street – CONT. to NOV. 21

The applicant seeks to create to rezone property from R1 to B5.

The site is located at 10403 Pennsylvania Street and is zoned R1 within the Home Place Overlay.

Filed by Marshall Andich (owner).

3H. Docket No. 06080026 SW: Old Meridian Place – TABLED

ZO Chapter The applicant seeks the following subdivision waiver 20G.05.04 B(3)(b) Building Footprint - request to increase maximum building footprint by 35%.
The site is located at 12852 Old Meridian Street and is zoned OM/MU.
Filed by Jim Shinaver of Nelson and Frankenberger for Centex Homes.

4H. Docket No. 06080032 DP/ADLS: Medical Drive Shoppes

The applicant seeks to construct a 9,600 square foot, one-story commercial retail building on the site of a former child care facility.
The site is located at 126 Medical Drive and is zoned B8/Business.
Filed by Mukesh Patel (owner).

Jim Wheeler, attorney, Coots Henke & Wheeler appeared before the Commission representing Mukesh Patel, owner. Also present: Sanjay Patel, VS Engineering, Indianapolis.

The proposal is for the construction of a one-story professional and retail building at 126 Medical Drive, formerly the site La Petite Daycare. The project is located between the Goddard School and the Carmel Care Center.

The petitioner has appeared before the Technical Advisory Committee and all concerns have been addressed. The owner initially requested a variance for the setback from 30 feet to 15 feet; the variance was approved in June. The petitioner has also met the drainage requirements.

The former LaPetite site has two access points on Medical Drive and the petitioner would like to reduce access to one point in order to reduce traffic congestion in this area. The employee parking will be to the rear of the building; the parking meets the requirements.

The storm drainage is all underground storage with the appropriate modeling and clean water. The final drawing is an aerial photo of the site. The Carmel Racquet Club is immediately to the north of the proposed building.

Members of the public were invited to speak in favor of or opposition to the petition; no one appeared and the public hearing was closed.

Department Report, Matt Griffin: The Department is recommending this item be sent to the Special Studies Committee on November 2, 2006 at 6:00 PM for further discussion.

Jay Dorman asked that the dumpster location be outlined for the benefit of the Committee.

Comments regarding the construction materials and architectural features are encouraged—please submit to Committee members.

Susan Westermeier asked about outdoor seating—the petitioner states the site is very constricted. At this time, the lessee is not finalized and nothing is shown in this location.

Leo Dierckman commented that this site has been vacant for some time and the Racquet Club is clearly visible.

Docket No. 06080032 DP/ADLS, Medical Drive Shoppes was referred to the **Special Studies Committee** for further review at 6:00 PM on **Thursday, November 2, 2006** in the Caucus Rooms of City Hall.

- 5H. **Docket No. 06080034 Rezone/06080035 ADLS: Courtyards at Carmel Creek**
The applicant seeks rezoning and ADLS approval for a 7.2-acre parcel, currently zoned R1, requested to be rezoned to the PUD classification to provide for residential development.
The site is located at 1225 East 116th Street.
Filed by Charlie Frankenberger of Nelson and Frankenberger for ME Development, Inc.

Jim Shinaver, attorney, and Charlie Frankenberger, Nelson & Frankenberger appeared before the Commission representing ME Development. Also in attendance: Bob Ellis and Dave Zehring with ME Development; Art Kaser, Civil Engineer; Jeff Keck partner in Executive Homes.

The parcel is south of and adjacent to 116th Street, Donnybrook Subdivision is to the east, and the Monon Farms Neighborhood is to the west. There is also an old farmhouse on this site in the south west corner—often referred to as “The Warren House.” Over a period of time, the house has been substantially altered and is currently renter-occupied.

The overall site consists of 7.2 acres. Currently the property is zoned R-1; the petitioner is seeking a rezone to Planned Unit Development to permit a custom townhome community known as The Courtyards at Carmel Creek. Executive Homes will be the builder for this community. In conjunction with the Rezone approval, the petitioner is also seeking approval of the Architectural Design, Lighting, Landscaping, and Signage for this community.

Regarding the site layout, ME Development is proposing to construct 56 townhomes on the site with access from 116th Street. An entry boulevard treatment has been created with landscape plantings and a community mailbox structure. Also included in the plan is a 10-foot, multi-purpose asphalt path. The front of all townhomes will be facing internal streets, and the garage entry will be to the rear of the townhome unit. A courtyard area has been incorporated that will accommodate both parking areas and a general open space area that would be landscaped. The retention pond will have a path that runs along the perimeter of that particular pond; the pond will not be used for drainage purposes. The open space for this project comprises 2.121 acres of the site—approximately 29% of the parcel.

Renderings of the front and side elevations of the townhomes were shown as well as the rear elevation. Pursuant to suggestions from the planning staff, the townhome exteriors are not brick and the architectural style is not Georgian. The townhomes will permit personal elevators or lifts as an option.

Jeff Keck, partner in Executive Homes, addressed the Commission. Executive Homes is a custom

home builder; the proposed townhome construction is a little different and would appeal to a wider market—more a luxury-type townhome that provides significant amenities for the more affluent buyer. All of the units have either a brick or stone wainscot completely around the unit, fibre cement siding (hardi-plank) Andersen, vinyl clad wood windows, 6-inch gutters, and architectural shingles. The anticipated pricing starts at \$275,000 to \$300,000. The units are approximately 24,150 to 25,150 square feet. The units are actually “bermed-up” like an old Cottage-style house, vintage World War II. The townhomes, although three stories, would be bermed at least 4 to 5 feet to create a 2 and ½ story exterior elevation. The location is fantastic for this type of product and works well with the diversity that Carmel is trying to incorporate into the community. The close proximity of the new Central Park will be a fantastic draw for the type of affluent buyer that is expected.

Jim Shinaver went over the landscape plan for the site. In addition to perimeter plantings on the western, southern, and eastern border of the project, there are interior plantings throughout the site as well as around building #4 of the townhome units. Along the western property line, the planting schedule called for preservation of approximately two of the existing canopy trees and re-planting along the entire property line with 29, 2 ½ inch caliper canopy trees, 27, 1 ½ inch caliper ornamental trees, and 148, two-foot tall shrubs. The southern property line calls for preservation of approximately 6 canopy trees and re-planting along that property line with 9, 2 ½ inch caliper canopy trees, 14, 1 ½ inch caliper ornamental trees, and 80 two-foot tall shrubs. Finally, along the eastern perimeter, the planting schedule calls for preservation of approximately 20 of the trees that currently exist along that property line—the replanting would consist of installing 25, 2 ½ inch caliper canopy trees, 27, 1 ½ inch caliper ornamental trees, and 12, eight-foot tall evergreen trees, and 161, two-foot tall shrubs.

At the Committee level, the petitioner will be prepared to discuss in detail comments and questions in the Department Staff Report.

Members of the public were invited to speak in favor of the petition; the following appeared:

Public Remonstrance/Favorable:

Judy Hagan, Clay Township Trustee, noted that the site contains the Warren House, originally built in 1847 and owned by one of the founding fathers of Bethlehem. Ms. Hagan would like to see some way to tie the Warren legacy with the community—maybe some part of the façade incorporated into the plan, although the home is not in particularly good condition. This site is one of the few pieces of property that has topography and would lend itself to walk-out basements and low profile. It is not clear what the impact of the proposed project would be on 116th Street. The site also has a wonderful tree lane that hopefully can be preserved and incorporated into the plan.

Members of the public were invited to speak in opposition to the petition; the following appeared:

Public Remonstrance/Unfavorable:

Paxton Waters, 1207 Donnybrook Drive. Asked for clarification whether the development has a retention or detention pond. If it is detention, it cannot be built in the flood plain. Also questioned the large curb cut into the property that is a single lane entering, two lanes exiting. There is no median cut in front for the drive. The City Engineer has said he would be against allowing the

median cut—without the median cut, only “U” turns could happen. The project is not neighborhood friendly and does not blend with the adjacent neighborhoods. Density is also an issue.

April Gubbins, 1310 Donnybrook Drive, said the project is ridiculous and unacceptable. Ms. Gubbins objected to the proposed 35-foot height, the density, the effect on the natural habitat, and would like to see the mature trees on the drive preserved. Ms. Gubbins was unsure of caliper but thought it sounded very short and provided no shade; the trees are needed as a natural barrier.

Scott Unger, 11618 Rosemead, presented a petition from a group of people who are against this project. Mr. Unger was concerned regarding the difference in height in the grade of the property. Along Ralston Ave., it is approximately 822 feet above sea level—it is 850 at the top of the proposed project.

Bill Kolpeck, 11415 Monon Farms Lane, presented a signed petition from area residents in opposition to the proposed project. There are 257 signatures in opposition representing Donnybrook Woods, Monon Farms, Rosemead Commons, Fairgreen Trace, Guilford Park, and Wood Park. The area residents would like to see a development that blends with the neighborhood and would be an extension of Monon Farms.

Francisco Rasso, 11485 Monon Farms, stated his concerns as safety, traffic, wildlife, and home value—he does not like the project.

Charla Foust, 11451 Sandy Lane, Guilford Park, stated opposition by reason of the height of the buildings, the density of the development, and the disappearance of habitat.

Michael Cutter, 748 Barkwood Court, Wood Park, represents 57 persons in Wood Park who signed the petition in opposition.

Richard Cunningham, president Fairgreen Trace HOA, expressed issues with the density that brings about a higher demand and higher taxes to support the services. High density destroys or at least severely modifies the ethics of the Carmel community. This type of development is not beneficial to Carmel and we are concerned about the density.

Commission Member Comments:

Jay Dorman asked the Committee to look at the density of the proposed project as opposed to recently approved projects and the density of Monon Farms. Also look at provisions for sidewalks from Monon Farms to Monon Trail and sidewalks that go someplace.

Madeleine Torres asked what the density would be at the current R-1 zoning. Also noted the unified opposition of the community and suggested the developer revise what has been presented this evening.

Dan Dutcher cautioned the developer about the townhomes and encouraged the developer to look at other alternatives—other products should be explored—height is an issue with the neighbors. Dan encouraged the neighbors to attend the Subdivision Committee meeting on November 2nd. Dan had

a huge concern with tree preservation on the site. Also, regarding the layout of the site—density and scale may be beyond the comfort level. Certain design elements are OK such as the boulevard entry, centralized mailboxes, etc. There needs to be some kind of clarification on the ingress/egress to this development.

Carol Schleif said that daylighting is an inherent problem with townhomes—wider units would cut down the density. The Warren house is eligible to be on the national register and therefore offered protection. Perhaps the building could be re-located on site.

Leo Dierckman commented that we might have seen a paradigm shift with the Gramery project and the developers may need to start thinking about the cost of the land—that is not the Commission's concern. Less density and the height and number of townhomes, days on the market for the townhomes should be looked at. Monon Farms is a pretty decent project and is attractive—perhaps the proposed project should blend.

Docket No. 06080034 Rezone/06080035 ADLS, Courtyards at Carmel Creek was referred to the **Subdivision Committee** for further review on **Thursday, November 2, 2006** at 6:00 PM in the Caucus Rooms of City Hall.

6H. Docket No. 06080036 Rezone: Park Place PUD.

The applicant seeks rezoning approval for a 19.55-acre parcel, currently zoned R1, requested to be rezoned to the PUD classification to provide for active adult residential development.

The site is located north of 116th Street, on the east side of Guilford Road.

Filed by James Shinaver of Nelson and Frankenberger for Guilford Partners LLC

Jim Shinaver, attorney, Nelson & Frankenberger appeared before the Commission representing the applicant. Also in attendance: Wayne Beverage, Guilford Partners; Dave Klauba, landscape architect; Rich Kelly; and Jud Scott.

The petitioner is requesting a rezone to a PUD classification to permit a continuing care, residential retirement community to be known as Park Place. If the rezone is ultimately approved by the City Council, the petitioner would be required to return to the Commission for subsequent ADLS/DP approval. At this time, the petitioner is seeking Rezone approval only.

The site is stubbed and adjacent to Guilford, north of 116th Street; south of the site is the Duke Energy building; stubbed and adjacent is the Telamon facility; north and adjacent is the townhome development known as Brownstone Townhomes at Guilford Reserve; west of the site is the Lenox Trace community; directly across the street is the Townhomes at Guilford—a Pulte development; a little south and west of the site near the corner of Guilford and 116th Street is a new neighborhood commercial development by Equicor.

Different zoning classifications surrounding the site are I-1/Industrial to the south; M-3/Manufacturing to the east as well as various PUD and multi-family zoning classifications; and B-2 on the corner of 116th Street and Guilford.

Guilford Partners desires to develop what is termed a Continuing Care Retirement Center or CRC within a single building that would include independent living suites, assisted living suites, and skilled care units. The purpose of this type of CRC is to provide continuing care to the residents if they phase between the desire to have an independent living suite and a potential need to have assisted or skilled care in the future. It should be noted that these are suites, they are ownership, they are not rentals—they are purchased and owned by the resident that would occupy this particular community. It is worth noting that Wayne Beverage and his partners have been building communities of this type across the country for a number of years and they have developed a certain level of expertise in designing, marketing, and operating such facilities. The program for this site is to develop 195 independent living suites, 20 assisted living suites, and 28 skilled care units. The suite sizes will range from approximately 600 square feet to 1800 square feet; the anticipated price range will be between \$200,000 and \$600,000. Based on the market and the demographics for this area, this facility will be a high quality, high-end, CRC-type of development.

The conceptual plan for this site includes a main point of entry north of and east of Guilford. The entry is a boulevard treatment that leads to the front entrance. During meetings with the DOCS staff, the petitioner was asked to move the building location closer to Guilford. The petitioner will be incorporating the required, 10-foot multi-use asphalt path adjacent to Guilford. Because of the market and the demographics for the residents, covered parking is expected in a facility such as this. In addition to the surface parking areas provided, an entry location is provided at the northern portion of the building, the southern portion of the building, and two others as noted on the plan. The residents will be able to enter into the actual building structure and go into the underground parking area. Upon entering the underground structure and parking area, they then have the ability to either use the elevator or stairwell to access their private living suite.

The center of the building is referred to as the Community Commons Wellness Center and will be the area where a lot of activities for the facility occur. The area will include features such as a full dining and cafeteria room, exercise and entertainment room, a wellness center, and a study area. This type of community is a life-style choice and designed to reflect a country club atmosphere. There will be other amenities such as extensive social and activity programs, transportation to and from shopping and appointments, housekeeping/maintenance services, and general concierge services. The assisted living and skilled care suites will be located to the rear of the structure on the southern portion of the site. The retention basin area will be incorporated on the northern portion of the site.

The site will include a significant landscape plan along the perimeter of the property, internally within the parking lot areas, and building space landscape areas as well. Also noted on the plan are areas of tree preservation along the southern portion of the site and the eastern portion of the site. There are garden plots incorporated into the plan for those residents who wish to engage in a garden hobby.

Different comments and suggestions have been received as far as types of architecture that may be desirable for a site such as this and trying to incorporate a residential feel as far as roof design, window treatment, etc. Bay windows have been incorporated into the elevations as well as balconies, and detailed window treatments. Again, there is underground parking for this facility. The building materials will include such features as rock-face masonry veneer balconies and

aluminum balcony guardrails with window treatment and detail, cast stone lentils and fiber-cement fascia and trim.

Environmental statements were included in the informational booklets that address such items as wetlands and tree preservation; the petitioner has also submitted a woodlands analysis. The petitioner has made efforts to design an environmentally friendly site based on items listed behind Tab 8 in the informational brochure. This community has many benefits—the owners pay full property taxes but because they are typically retired, there is no impact on schools because they typically do not have school-age children. There is also significantly less impact on traffic because the residents are not usually driving to/from daytime jobs during peak driving times for the City. The residents would also have less impact on utilities as compared to a typical family with children. Another benefit, based on the demographics of the residents is that they provide a volunteer base for the community. People that live in communities such as this often enjoy volunteering time at local hospitals, libraries, churches, parks, etc.

The petitioner is anticipating review by the Subdivision Committee on November 2nd, 2006.

Members of the public were invited to speak in favor of the petition; no one appeared. Members of the public were invited to speak in opposition to the petition; the following appeared:

Public Remonstrance/Unfavorable

Peter Hau, general counsel for Telamon, expressed concern that there was no provision for the development to be a gated community or some type of barrier. Mr. Hau was fearful that the residents would be cutting across the Telamon parking lot to get to the Monon Trail access and it would be a huge safety concern and liability factor.

The public hearing was then closed.

Jim Shinaver stated that a letter of support was received from Mrs. Cunnard, property owner to the north. The petitioner is working in the spirit of cooperation with Telamon and understands the concerns expressed.

Commission members' comments:

Wayne Haney would like to see a plan of the building and floor plan of the units.

Leo Dierckman asked what the zoning is on the Telamon property—business in a manufacturing zone? Also, Mr. Dierckman asked if the Telamon group could please get their fountains to work in the summer—it is a bit of a letdown.

Matt Griffin responded that the Telamon property is in the M-3 zone.

Jay Dorman asked if the Subdivision Committee could look at the height of the assisted living structure—is it comparable to others? Is the cooling tower at the back of the property elevated, enclosed—the cooling units can be very loud. On the aerial plan, there appeared to be a 5-foot walkway leading to a wooded area directly behind the Telamon building. The Subdivision Committee should look at where the sidewalk leads—does it tie into another walkway system—this

needs further explanation. The exit way to the west of the Community Commons Wellness Center is fairly narrow—the lanes should be wider toward 116th Street so that right turns can be easily made or traffic can double-stack. There should also be a sidewalk from the parking at Community Commons to the building.

Dan Dutcher: There needs to be further definition as to how this fits into the neighborhood. Access to the Monon is unclear and needs to be defined.

Carol Schleif noted that this is a massive building—suggestion: break up the roof, break up the building—make them into smaller, more human scale buildings. Vinyl windows may be a concern.

Susan Westermeier thought that parking was needed at the entrance off Guilford for visitors and functions at the facility—parking seems to be lacking.

Docket No. 06080036 Rezone, Park Place PUD was referred to the **Subdivision Committee** for further review on **Thursday, November 2, 2006 at 6:00 PM.**

7H. Docket No. 06080038 DP/ADLS: Midwest ISO.

The applicant seeks development plan and architecture, lighting, landscaping, and signage approval for a proposed 147,000-square foot, 3-story plus basement office building located on 10.042 acres. A connecting pedestrian bridge to an existing office building is also proposed.

The site is located at the northwest corner of City Center Drive and West Carmel Drive, and is zoned M3.

Filed by Paul Reis of Bose McKinney & Evans LLP for Carmel Drive Partners, LLC.

Paul Reis, attorney, Bose McKinney & Evans appeared before the Commission representing the applicant. Also present: Taggart Birge, Lauth Property Group; Fred Simmons, architect; Mike DeBoy, Engineer; Steve Granner, land planner.

The Lauth property group is developing and constructing a second office building, approximately 134,000 square feet for Midwest ISO on an 8.24 acre undeveloped site located at the northwest corner of City Center Drive and Carmel Drive, immediately west of the current office building. In addition, the petitioner is proposing a pedestrian walkway to connect the two buildings. This is a significant economic development project for Carmel.

The site is zoned M-3/Manufacturing, within the Carmel Science Technology Park. The petitioner is seeking approval of the Development Plan as well as the Architectural Design, Lighting, Landscaping; Signage will come later.

Fred Simmons, Simmons Architects, 305 East New York Street, Indianapolis addressed the Commission. Fred Simmons wanted to clarify that the project has been downsized—the building is now 100,000 square feet, three stories above grade, and 34,000 square feet of basement area. The project is actually three components: 1) the main building, 100,000 square feet above grade 2) a utility building that houses emergency generators, cooling towers, and associated equipment that

will serve the lower level 3) the pedestrian bridge that will link the second floor of the existing facility to the proposed building.

The proposed building was designed as a multi-tenant building that will be leased to a single tenant. If Midwest ISO were to move out after their lease period, approximately 15 years, then this building would be converted into a multi-tenant building.

The informational packet does not really do justice to the elevations of the building. New renderings will be submitted to the entire Plan Commission, especially Wayne Haney and Carol Schleif who are not on the Special Studies Committee. An elevation in the packet showed the proposed connector between the two buildings. City Center Drive has a right-of-way of 140 feet. The petitioner is hoping for clarification that no supporting structure can be placed within the 140-foot right of way. Designing a pedestrian connection with the span of 140 feet is limiting as far as economic viability. In this particular case, the design is based on a boxed truss not unlike the boxed trusses that link Conseco Fieldhouse to the parking garage, but obviously much longer. The petitioner is investigating cutting down on the expanse in order to provide more flexibility to enhance the design.

Some LEED items will be incorporated into the project, although the petitioner is not asking for certification at this time.

Members of the public were invited to speak in favor of or opposition to the petition; no one appeared and the public hearing was closed.

Commission Member Comments:

Jay Dorman asked how the pedestrian connection would be enclosed and the lighting treatment. There are a couple of items on the lighting plan but on the northwest side, between the tower building and the main building, there are some small structures—a fountain perhaps? Please clarify at Committee.

Carol Schleif said she likes the building but would like for the mechanical to be a little larger—the roofline is very flat and could be made more interesting. The mechanical enclosure could be more prominent. Carol was also curious about the lobby—there is only one entrance and it looks as if the building might like to have a second entrance—one from both sides.

Dan Dutcher—regarding the building orientation—Guilford, City Center Drive, and Carmel Drive are high profile roads. The orientation of the building as it relates to City Center Drive—are there design features that could dress up the look from the City Center Drive perspective?

Kevin Heber suggested some type of pedestrian access delineation from the parking lot to the building—perhaps some kind of landscaping treatment. Kevin also expressed concern about the lighting.

Docket No. 06080038 DP/ADLS, Midwest ISO was forwarded to the **Special Studies Committee** for further review on **Thursday, November 2, 2006** at 6:00 PM in the Caucus Rooms of City Hall.

I. Old Business

1I. Docket No. 06010008 Z: Midtown Village PUD – CONT. to NOV. 21

The applicant seeks to rezone 18.82 acres from I1/Industrail to PUD for the purpose of creating mixed use development.

The site is located at 510 Third Avenue SW and is zoned I1/Industrial.

Filed by Lawrence Kemper of Nelson and Frankenberger for Centex Homes.

2I. Docket No. 06040017 PUD: Townhomes at Central Park

The applicant seeks to create 87 townhomes on 8.8 acres.

The site is located at 11400 Westfield Blvd. and is zoned R1 Residential

Filed by Mary Solada of Bingham McHale for Mann Properties.

Greg Ewing, development coordinator for Mann Properties appeared before the Commission representing the applicant. Also present: Tim Stevens, development director, Tim Seitz, and Brian Sullivan, Mann Properties.

The 8.8-acre site located south of 116th Street adjacent to Central Park is proposed for the construction of 87 townhomes. The petitioner has appeared before the Subdivision Committee on three occasions for review. Some significant adjustments have been made in the process.

The density of the proposal was originally 12.5 units per acre. The setback from Westfield Boulevard was initially zero. On-street parking was proposed along Westfield Boulevard. A 10-foot setback was proposed from the north, south, and west property lines. The petitioner initially proposed not to preserve the perimeter trees, and ten feet between the buildings was proposed. Three buildings were proposed along the Westfield Boulevard frontage—later four were proposed. Multiple, longer, 7-unit buildings were proposed. There were 14 guest parking spaces.

After the Committee process, the petitioner revised the plan. Density is now at 9.89 units per acre—less than 10 units per acre. The proposed density is lower than a number of townhome projects that have been approved in Carmel. A 20-foot setback from Westfield Boulevard is now proposed (from the right-of-way,) greater than 50 feet from the Westfield Boulevard pavement. The petitioner is also preserving the trees along the frontage.

The petitioner has met with the Parks & Recreation Director who has indicated that a pedestrian only access would be supported and a pedestrian specific access would be determined at the ADLS stage of the process. From the current rendering, proposed access points can be seen. The petitioner has removed any proposal for on street parking along Westfield Boulevard. Currently there is a 25 foot setback along the north property line (the minimum) and the majority of the buildings along the north property line are in fact 40 feet or greater from the north property line. There is a 17-foot setback along the south property line adjacent to the Park. A 20-foot setback is also proposed along the west property line. There are only two buildings along the Westfield Boulevard frontage; there are no 7-unit buildings. There are 31 guest parking spaces—7 more noted as future, potential guest parking.

The conceptual landscape plan proposes nearly an additional 600 caliper inches above the 16 scenario. The petitioner believes he has worked diligently and honestly with the members of the Subdivision Committee. All of the setbacks have been increased, the building separations have been increased, many trees are being saved, large open spaces have been created along Westfield Boulevard, and minimal impact is seen on the Westfield Boulevard frontage. The guest parking has been increased, and the petitioner has worked with the Carmel Clay Parks & Recreation Director for pedestrian connectivity. The petitioner has also worked closely with the City Staff and the proposal complies with the Comprehensive Plan. At this time, the petitioner requests Commission approval of this development.

Rick Ripma reported for the Committee. The petitioner has made a lot of changes, but that does not necessarily make it a good thing. The Committee voted a unanimous 4-0 negative recommendation. The Committee felt that the buildings were too large—3-stories. This is an intense use on an area right next to the Park. The Committee felt that the development was too much on the site. It is probably not an accurate statement to say the petitioner did everything the Committee asked. It is obvious that the Staff disagrees with the Committee.

Department Report, Matt Griffin: This is a rare case where the Committee is unanimously against the development and the Department is generally in favor. The last thing the Department wants to do is mislead petitioners. The Department Report gives the reasoning for the Department's support of this project. The petitioner has made some good changes. At this time, the Department is recommending this item be forwarded to the City Council with a positive recommendation.

Susan Westermeier asked for more input from Committee members.

Carol Schleif responded that the one theme was that this project did not fit in with the area—it was surrounded by low density, this is a heavily wooded site and a lot of trees were being cut down, the buildings are huge and close together. The Committee kept asking for fewer buildings and only one went away—the rest of the site basically stayed put. The building heights were higher than 40 feet instead of 35 feet. The project is a lot of rooftops and pavement. The Committee asked for universal design and a lot of different things and we did not get it. The Committee also asked that the end units of the building be reduced to two stories; we asked that the roofs be modulated so that it didn't look so massive with the roofline—all sorts of techniques to bring the massing down—undulate the facades—we didn't get any of that.

John Molitor clarified that this item is a legislative decision to be made ultimately by the City Council. It is lawful for the Commission to make a motion for favorable or unfavorable recommendation.

Dan Dutcher commented that this is one of those situations where townhomes are not the perfect solution. The Committee encouraged the petitioner to look at some other options, and for whatever reason, the petitioner decided against exploring that. The Committee tried to get the petitioner to address the density issues and scale; ultimately the petitioner declined.

Kevin Heber said he was not strictly against the proposal but felt it was five years too early. Kevin wanted to see the vision or build-out scenario for 116th Street to 106th Street on Westfield Boulevard.

Dan Dutcher made formal motion to **forward Docket No. 06040017 PUD, Townhomes at Central Park to City Council with a negative recommendation**, seconded by Madeleine Torres, Approved 9 in favor, none opposed, one abstaining (Dorman.)

Note: Wayne Haney exited the meeting at this time and did not return.

- 3I. **Docket No. 06060018 DP Amend: Village Center/Peripheral Retail-VOWC**
The applicant seeks to modify the existing site plan and Development Requirements for the Village of West Clay—Village Center and Peripheral Retail Area.
The site is located at Towne Road and 131st Street, and is zoned PUD.
Filed by Keith Lash of Brenwick TND Communities, LLC.

Keith Lash, Brenwick Development, 12821 East New Market Street, Carmel appeared before the Commission representing the applicant. The applicant is proposing certain modifications to the existing site plan and Development Requirements.

The petitioner was referred to the September Special Studies Committee meeting for review. The Committee voted 5-0 for approval with one modification and that was to limit the height of the letters of signs on buildings adjacent to Towne Road and on facades that face Towne Road.

Due to the Resolution of the City Council, the matter was not heard at the September 19th Commission meeting and was continued to the October 17 meeting. In an effort to address the concerns of the City Council per their Resolution, the petitioner has made two modifications to their request. The first request was to eliminate or withdraw the request to modify the area designation of the parcel of land adjacent to Towne Road from senior housing to peripheral retail area—this request has been officially withdrawn and the parcel will remain as senior housing.

The second request related to the letter height of signage within the peripheral retail area. Brenwick previously requested no cap on the signage height—compatible to Carmel’s Sign Ordinance. Subsequently, Brenwick has agreed to cap the signage letters to 28 inches. The other requests outlined in the original proposal regarding the City Homes in the Village Center and the change in a portion of the peripheral retail area from peripheral retail area to senior housing remains unchanged.

Leo Dierckman noted that he functioned as Committee Chairperson when this item was reviewed. The Committee had approved the original submission 5-0 with a more significant sign package and approval of lot 9 along Towne Road. Since the signage has been reduced, there would probably be no objection to this request.

Madeleine Torres made formal motion to approve **Docket No. 06060018 DP Amend, Village Center/Peripheral Retail-VOWC**, seconded by Susan Westermeier, Approved 8 in favor, none opposed, one abstaining (Dorman.)

Note: Brenwick agreed to limit the height of letters on signs to 12 inches on buildings whose façade faces Towne Road and 28 inches on all other facades. The petitioner also agreed to withdraw their request to modify the area designation of the parcel of land adjacent to Towne Road

from senior housing to peripheral retail. The change of a portion of the peripheral retail area from peripheral retail to senior housing remains unchanged.

4I. **Docket No. 06080009 DP/ADLS: Portrait Artist Studio**

The applicant seeks to convert a residential property into a commercial use.

The site is located at 420 N. Range Line Road and is zoned B5 within the Old Town Overlay.

Filed by Marie Moorcroft (owner.)

Note: No one appeared on the petitioner's behalf.

Department Report, Matt Griffin: The Department has no concerns and recommends approval as forwarded by the Committee. Basically, there were no exterior changes to the building. The petitioner was asked to revise the parking lot to add more greenspace and the petitioner was willing to do that.

Sue Westermeier commented that the Committee had voted to approve, subject to the addition of more greenspace in the parking area, and Ms. Moorcroft had agreed.

Steve Stromquist made formal motion to approve **Docket No. 06080009 DP/ADLS Portrait Artist Studio, conditioned upon** approval of the landscape plan by the Urban Forester and the parking lot landscaping, seconded by Rick Ripma, approved 8 in favor, none opposed, one abstaining (Dorman.)

5I. **Docket No. 06080010 PP: Meridian Technology Center-Strategic Marketing & Research**

The applicant seeks to plat 2 lots on 4.5 acres.

The site is located at 117th Street and College Avenue and is zoned B2.

Filed by Mark Monroe of Wooden & McLaughlin LLP for REI Real Estate Services, LLC.

NOTE: Items 5I and 6I were heard together.

6I. **Docket No. 06080003 ADLS: Meridian Technology Center-Strategic Marketing & Research**

The applicant seeks construction approval for a proposed 11,921-square foot, two-story office building and related parking.

The site is located at 117th Street and College Avenue and is zoned B2.

Filed by Mark Monroe of Wooden & McLaughlin LLP for REI Real Estate Services, LLC.

Mark Monroe, attorney, Wooden & McLaughlin, One Indiana Square, Suite 1800, Indianapolis appeared before the Commission representing the applicant.

The petitioner appeared at the October 3rd Special Studies Committee meeting and received unanimous approval. At that meeting, revised building elevations were presented. The window

designs have been updated, and brick projections have been added at the base of the building. There are no additional changes—everything else remains the same as in the September public hearing and the petitioner has agreed to conditions stated in the Department Staff Report and has tendered Findings of Fact for consideration.

Department Comments, Matt Griffin: The petitioner has followed through with the requests made at the Committee level and the Department is comfortable recommending approval with the conditions agreed to in the Department Report.

Susan Wetermeier reported for the Committee. The ADLS item received Committee endorsement. The Primary Plat issues were to be resolved according to the Thoroughfare Plan for College Avenue.

Madeleine Torres made formal motion to approve **Docket No. 06080010 PP and Docket No. 06080003 ADLS, Meridian Technology Center-Strategic Marketing & Research**, seconded by Carol Schleif, **Approved 8** in favor, none opposed, one abstaining (Dorman.)

7I. **Docket No. 06080014 DP/ADLS: Renaissance Hotel**

The applicant seeks approval to construct a full-service hotel.

The site is located at 11911 N. Meridian St. and is zoned B-6/Business within the US Hwy 31 Corridor Overlay.

Filed by Paul Reis of Bose McKinney and Evans LLP for W & H Realty.

Paul Reis, attorney, Bose McKinney and Evans, 600 East 96th Street appeared before the Commission representing the applicant. Also present: Terry Dammeyer, Winegardner & Hammons, Inc. for Renaissance Hotel.

The petitioner appeared before the October 3, 2006 Special Studies Committee and presented the revised photometric plan that was revised to comply with the Zoning Ordinance as well as the revised landscape plan that involved certain species that Scott Brewer, Urban Forester, had expressed interest in.

The building materials for the Hotel were also reviewed, discussed, and ultimately approved. Following the discussion, the Committee voted 5-0 to recommend approval of the Development Plan and ADLS.

Leo Dierckman commented that there were concerns regarding the landscape plan and development in the surrounding area was discussed.

Department Comments, Matt Griffin: The Department is recommending approval as forwarded from the Special Studies Committee. There are two variances for this project for signage height and parking. There are no outstanding issues.

Commission Member Comments:

Kevin Heber asked about the lighting plan and was concerned about light pollution.

Paul Reis responded that the lighting plan was filed and was revised. The full plan is on file with the Department—one of the issues was some light migration on the perimeter; with down lighting and changing the location of some of the poles, the lighting complies with the Ordinance.

Jay Dorman asked about the candle light power and whether or not it would illuminate the site like a billboard or more subdued like the property next door.

Matt Griffin said that the photometrics submitted are at the light intensity level required by the 31 Overlay as well as the perimeter; the average foot-candle does meet the Ordinance.

Paul Reis said the light photometrics would be consistent with the other properties.

Carol Schleif asked about the parapet wall discussed at Committee. It is not really clear about the building penthouse – the drawings do not seem to coordinate.

Here followed a discussion regarding the parapet screening, the penthouse/elevator housing, and whether or not there could be a double parapet wall to screen the elevator penthouse.

Madeleine Torres made formal motion for approval of Docket No. 06080014 DP/ADLS, Renaissance Hotel, seconded by Susan Westermeier. The vote was 5 in favor, 3 opposed (Heber, Schleif, Dierckman,) one abstaining (Dorman.) No Decision Vote

After a short recess, during which the petitioner and his attorney conferred, a vote was requested. Jay Dorman chose not to abstain on the final vote.

Rick Ripma made formal motion for approval of Docket No. 06080014 DP/ADLS, Renaissance Hotel, seconded by Susan Westermeier, Approved 7 in favor, 2 opposed (Heber, Schleif) No Abstaining Vote.

There was no further business to come before the Commission and the meeting adjourned at 9:05 PM.

Leo Dierckman, President

Ramona Hancock, Secretary